

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESSE ALLEN SHANDY,

Defendant.

No. 4:CR-16-6021-EFS

**ORDER GRANTING THE STIPUALTED
MOTION RE: FORENSIC REVIEW
PROCEDURES FOR CHILD PORNOGRAPHY
CONTRABAND**

Before the Court are the parties' Stipulated Motion re: Forensic Review Procedures for Child Pornography Contraband, ECF No. 23, Motion for Protective Order, ECF No. 24, and related Motion to Expedite, ECF No. 25. Counsel for Defendant Jesse Allen Shandy, Matthew Campbell, and Assistant U.S. Attorney Laurel Holland agree to the terms set forth in the Stipulated Motions. Upon review, the Court grants the motions. Accordingly, **IT IS HEREBY ORDERED:**

1. The Stipulated Motion re: Forensic Review Procedures for Child Pornography Contraband, **ECF No. 23**, Motion for Protective Order, **ECF No. 24**, and related Motion to Expedite, **ECF No. 25**, are **GRANTED**.
2. The defense team shall not make, nor permit to be made, any copies of the child pornography contraband pursuant to this stipulation and order. The defense team agrees that it is forbidden from removing any contraband images from the

1 government reviewing facility. Defense expert will be allowed
2 to compile a report (without contraband images/videos)
3 documenting the examination on removable media if the case
4 dictates. Defense expert will be provided with a CD/DVD
5 burner and disks to copy their report onto optical media.

6 3. All persons acting in this case in a capacity described in
7 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the
8 privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as
9 follows:

10 (d) Privacy protection.--

11 (1) Confidentiality of information.--

12 (A) A person acting in a capacity described in
13 subparagraph (B) in connection with a
14 criminal proceeding shall--

15 (i) keep all documents that disclose the
16 name or any other information
17 concerning a child in a secure place to
18 which no person who does not have
19 reason to know their contents has
20 access; and

21 (ii) disclose documents described in clause
22 (i) or the information in them that
23 concerns a child only to persons who,
24 by reason of their participation in the
25 proceeding, have reason to know such
26 information.

1 (B) Subparagraph (A) applies to--

2 (i) all employees of the Government
3 connected with the case, including
4 employees of the Department of
5 Justice, any law enforcement agency
6 involved in the case, and any person
7 hired by the Government to provide
8 assistance in the proceeding;

9 (ii) employees of the court;

10 (iii) the defendant and employees of the
11 defendant, including the attorney for
12 the defendant and persons hired by the
13 defendant or the attorney for the
14 defendant to provide assistance in the
15 proceeding; and

16 (iv) members of the jury.

17 (2) Filing under seal.--All papers to be filed in court
18 that disclose the name of or any other information
19 concerning a child shall be filed under seal
20 without necessity of obtaining a court order. The
21 person who makes the filing shall submit to the
22 clerk of the court--

23 (A) the complete paper to be kept under seal;
24 and

25 (B) the paper with the portions of it that
26 disclose the name of or other information

1 concerning a child redacted, to be placed in
2 the public record.

3 4. Counsel shall remind all persons providing assistance on this
4 case of the obligations set forth in Paragraph 3 above.

5 5. Any alleged minor victim will be referred to either by
6 initials or a pseudonym, whichever is agreed upon by counsel for the
7 United States and the Defendant. Counsel shall be consistent in their
8 use of the identifier selected. The parties shall prepare their
9 witnesses and instruct them to refer to the alleged minor victims only
10 by using the agreed pseudonyms (e.g., "Jane Doe 1", "Jane Doe 2" etc.),
11 rather than their names, in opening statements and in closing arguments.

12 6. All personal information relating to any minor victim shall
13 be precluded from public disclosure.

14 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
15 Order and provide copies to all counsel.

16 **DATED** this 29 day of April 2016.

17
18 s/Edward F. Shea
EDWARD F. SHEA
19 Senior United States District Judge
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